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Attorneys for Defendants Brain Research Labs LLC,
 Joshua Reynolds, John Arnold and Gerry Mathews

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JOSEPH ROTENBERG and DOES 1-100,

Plaintiffs,

v.

BRAIN RESEARCH LABS LLC, a Delaware LLC;
 20/20 BRAIN POWER PARTNERS LLC, a California
 LLC, a member of Brain Research Labs LLC;
 CHARLES CONAWAY, a member of Brain Research
 Labs LLC and general partner of Sabre Capital
 Partners, LP; RICHARD COTE, a managing member
 of Brain Research Labs LLC and managing member of
 Lorac Holdings LLC; LORAC HOLDINGS LLC, a
 Washington LLC, a managing member of Brain
 Research Labs LLC; SABRE CAPITAL
 MANAGEMENT LLC, a Delaware LLC, a member of
 Brain Research Labs LLC; SABRE CAPITAL
 PARTNERS, LP, a Delaware LP, general partner of
 Sabre Capital Management LLC; SHRIK MEHTA, a
 member of Brain Research Labs LLC; 20/20 BRAIN
 POWER FOUNDERS LLC, a California LLC, a
 manager of 20/20 Brain Power Partners LLC; JOSHUA
 REYNOLDS, manager of 20/20 Brain Power Founders
 LLC; JOHN ARNOLD, manager of Brain Power
 Partners LLC, and President of MedHealth Direct, Inc.;
 MEDHEALTH DIRECT, INC., a California
 corporation; ARNOLD BRESKY, a California resident;
 CYNTHIA WATSON, a California resident; GERRY
 MATHEWS, an Ohio resident; CHERYL SINDELL, a
 California resident; CON STOUGH, an Australian
 resident; KEITH WESNES, a resident of the United
 Kingdom; ANDREA ZANGARA, a resident of the
 United Kingdom; and ROES 1-100,

Defendants.

Case No. 3:09-cv-02914

**STIPULATION AND
~~[PROPOSED]~~ ORDER
 CONTINUING TIME TO
 RESPOND TO COMPLAINT
 PENDING RESOLUTION OF
 MOTION TO REMAND AND
 MOTION TO TRANSFER**

1 WHEREAS, Defendants Brain Research Labs LLC, Joshua Reynolds, John
 2 Arnold and Gerry Mathews (the "Served Defendants") filed a Notice of Removal in this action on
 3 June 29, 2009;

4 WHEREAS, on July 6, 2009, the parties stipulated to a 30-day extension of time,
 5 until August 6, 2009, for the Served Defendants to respond to the complaint in this action, and
 6 on July 10, 2009, the Court, by Magistrate Judge Spero, entered an order approving this
 7 stipulation;

8 WHEREAS, on July 29, 2009, Plaintiff filed a Motion to Remand this action to the
 9 California Superior Court for Marin County, setting a hearing date of September 11, 2009;

10 WHEREAS, the Served Defendants intend to oppose the Motion to Remand, and
 11 also to file a Motion to Transfer this action to the United States District Court for the Central
 12 District of California. The Served Defendants intend to file their Motion to Transfer on or before
 13 August 7, 2009, and have obtained a hearing date of September 11, 2009, so that the Motion to
 14 Remand and the Motion to Transfer can be resolved together, as the case may be.

15 WHEREAS, pursuant to Local Rule 7-3, papers in opposition to the Motion to
 16 Remand and the Motion to Transfer will be due on or before August 21, 2009, and reply papers
 17 relating to the two motions will be due on or before August 28, 2009;

18 WHEREAS, the parties have agreed to a further continuation of time for the
 19 Served Defendants to respond to the complaint until after the resolution of the Motion to Remand
 20 and the Motion to Transfer, and believe that this further continuation is reasonable and
 21 appropriate pending resolution of the two motions regarding forum and venue.

22 THEREFORE, it is hereby agreed and stipulated between the parties, pursuant to
 23 Civil L.R. 6-1 and 6-2, that the Served Defendants shall have a continuation of time to answer,
 24 move or otherwise respond to the complaint in this action until 20 days after entry of an order
 25 resolving the Motion to Remand and Motion to Transfer.

26 IN ADDITION, because there will be no answer or responsive motion on file at
 27 the time of the Initial Case Management Conference currently scheduled for September 25, 2009,
 28 the Initial Case Management Conference should also be continued, until the next available date of

November 20, 2009 at 10:00 a.m.

IT IS SO AGREED AND STIPULATED.

Dated: August 3, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Timothy A. Dolan

Timothy A. Dolan

Attorneys for Plaintiff

Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, Bruce B. Kelson hereby attests that concurrence in the filing of the document has been obtained.

Dated: August 3, 2009

MANATT, PHELPS & PHILLIPS, LLP

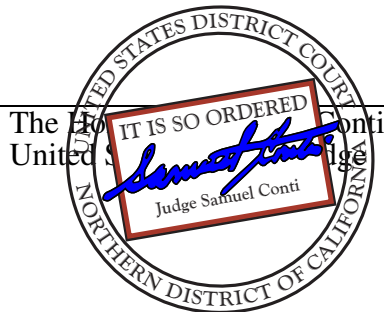
By: /s/ Bruce B. Kelson

Bruce B. Kelson

Attorneys for Defendants Brain Research Labs LLC,
Joshua Reynolds, John Arnold and Gerry Mathews

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 6, 2009



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